

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

UNITED STATES OF AMERICA

vs.

NO. 4:98CR00154-001 SWW

RUDOLPH W. "RUDY" UNDERWOOD

ORDER

The above entitled cause came on for a hearing on petition to revoke the supervised release granted this defendant in the United States District Court for the Eastern District of Arkansas. Upon the basis of the preponderance of the evidence, the Court found that defendant has violated the conditions of his supervised release without just cause.

IT IS THEREFORE ORDERED AND ADJUDGED that the government's motion¹ is granted, and the supervised release previously granted this defendant hereby is revoked.

IT IS FURTHER ORDERED that defendant is committed to the Bureau of Prisons to serve a term of imprisonment of SIX (6) MONTHS. The Court directs that defendant submit to DNA testing while incarcerated if required to do so.

There will be no supervised release following defendant's term of imprisonment.

IT IS FURTHER ORDERED that \$418,301.32, the balance of the restitution initially imposed, remains due and payable to Cross County Bank and Kansas Bankers Surety Company during incarceration and after release. During his term of incarceration, defendant shall pay 50% per month of all funds available to him. During community confinement placement, payments will be reduced to 10% of defendant's gross monthly income.

¹Doc. #94. The motion filed on June 21, 2006, (Doc. #101), is moot as the Court did not consider this motion at the hearing.

Execution of the sentence of imprisonment is suspended until ***Monday, August 21, 2006, no later than 12:00 noon***, at which time defendant shall report to or at the direction of the United States Marshal in Little Rock, Arkansas. Defendant is eligible to self-report to the designated institution.

All other terms and conditions previously imposed shall remain in full force and effect pending defendant's report date.

IT IS SO ORDERED this 27th day of June, 2006.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE